



3732

PTO/SB/21 (08-03)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/624,848
		Filing Date	July 21, 2003
		First Named Inventor	GERBI, CRAIG RICHARD
		Art Unit	3732
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	017516-006810US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard PTO/SB/08A & PTO/SB/08B
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Mark D. Barrish Reg. No. 36,443
Signature	
Date	October 17, 2003

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Edward Masinas		
Signature		Date	October 17, 2003

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PATENT
Attorney Docket No.: 017516-006810US

On 10-17-03

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas
Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GERBI, Craig Richard et al.

Application No.: 10/624,848

Filed: July 21, 2003

For: TOOL GUIDE AND METHOD
FOR INTRODUCING AN END
EFFECTOR TO A SURGICAL SITE IN
MINIMALLY INVASIVE SURGERY

Examiner: Unassigned

Art Unit: 3732

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

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Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/872,750, filed May 31, 2001 (Attorney Docket No. 017516-006800US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

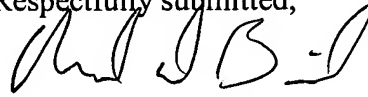
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Mark D. Barrish
Reg. No. 36,443

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60054848 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/624,848
Filing Date	July 21, 2003
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Attorney Docket Number	017516-006810US

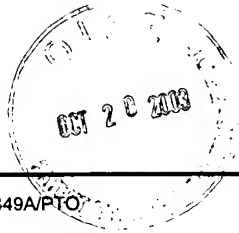
U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	2002/0133173	09-19-2002	Brock et al.	
	2	4,281,447	08-04-1981	Miller et al.	
	3	4,332,066	06-01-1982	Hailey et al.	
	4	4,486,928	12-11-1984	Tucker et al.	
	5	4,500,065	02-19-1985	Hennekes et al.	
	6	4,512,709	04-23-1985	Hennekes et al.	
	7	4,706,372	11-17-1987	Ferrero et al.	
	8	4,710,093	12-01-1987	Zimmer et al.	
	9	4,793,053	12-27-1988	Zuccaro et al.	
	10	4,809,747	03-07-1989	Choly et al.	
	11	4,830,569	05-16-1989	Jannborg	
	12	4,832,198	05-23-1989	Alikhan	
	13	4,943,939	07-24-1990	Hoover	
	14	4,979,949	12-25-1990	Matsen, III et al.	
	15	4,996,975	03-05-1991	Nakamura	
	16	5,018,266	05-28-1991	Hutchinson et al.	
	17	5,078,140	01-07-1992	Kwoh	
	18	5,143,453	09-01-1992	Weynant née Girones	
	19	5,154,717	10-13-1992	Matsen, III et al.	
	20	5,174,300	12-29-1992	Bales et al.	
	21	5,217,003	06-08-1993	Wilk	
	22	5,221,283	06-22-1993	Chang	
	23	5,236,432	08-17-1993	Matsen, III et al.	
	24	5,255,429	10-26-1993	Nishi et al.	
	25	5,257,998	11-02-1993	Ota et al.	
	26	5,271,384	12-21-1993	McEwen et al.	
	27	5,294,209	03-15-1994	Naka et al.	
	28	5,305,203	04-19-1994	Raab	
	29	5,312,212	05-17-1994	Naumec	
	30	5,313,935	05-24-1994	Kortenbach et al.	
	31	5,343,385	08-30-1994	Joskowicz et al.	
	32	5,354,314	10-11-1994	Hardy et al.	
	33	5,355,743	10-18-1994	Tesar	
	34	5,359,993	11-01-1994	Slater et al.	
	35	5,372,147	12-13-1994	Lathrop, Jr. et al.	
	36	5,397,323	03-14-1995	Taylor et al.	
	37	5,399,951	03-21-1995	Lavallee et al.	
	38	5,400,267	03-21-1995	Denen et al.	
	39	5,402,801	04-04-1995	Taylor	
	40	5,403,319	04-04-1995	Matsen, III et al.	
	41	5,417,210	05-23-1995	Funda et al.	

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			Application Number	10/624,848	
			Filing Date	July 21, 2003	
			First Named Inventor	GERBI, CRAIG RICHARD	
			Art Unit	3732	
			Examiner Name	Unassigned	
Sheet	2	of	3	Attorney Docket Number	017516-006810US

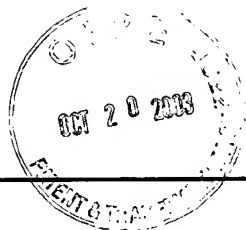
U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	42	5,427,097	06-27-1995	Depp	
	43	5,451,368	09-19-1995	Jacob	
	44	5,515,478	05-07-1996	Wang	
	45	5,634,937	06-03-1997	Mollenauer et al.	
	46	5,649,956	07-22-1997	Jensen et al.	
	47	5,657,429	08-12-1997	Wang et al.	
	48	5,697,939	12-16-1997	Kubota et al.	
	49	5,752,970	05-19-1998	Yoon	
	50	5,754,741	05-19-1998	Wang et al.	
	51	5,762,458	06-09-1998	Wang et al.	
	52	5,792,135	08-11-1998	Madhani et al.	
	53	5,800,423	09-01-1998	Jensen	
	54	5,815,640	09-29-1998	Wang et al.	
	55	5,855,583	01-05-1999	Wang et al.	
	56	5,878,193	03-02-1999	Wang et al.	
	57	5,971,976	10-26-1999	Wang et al.	
	58	6,132,368	10-17-2000	Cooper	
	59	6,459,926	10-01-2002	Nowlin et al.	

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	60	WO	93/13916		07-22-1993	Green		<input type="checkbox"/>
	61	WO	94/26167		11-24-1994	Jensen		<input type="checkbox"/>
	62	WO	95/16396		06-22-1995	Wang		<input type="checkbox"/>
	63	WO	95/30964		11-01-1995	Green		<input type="checkbox"/>
	64	WO	96/39944		12-01-1996	Jensen		<input type="checkbox"/>

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		Application Number	10/624,848		
		Filing Date	July 21, 2003		
		First Named Inventor	GERBI, CRAIG RICHARD		
		Art Unit	3732		
		Examiner Name	Unassigned		
Sheet	3	of	3	Attorney Docket Number	017516-006810US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	65	Alexander, Arthur D., "Impacts of Telemation on Modern Society," First CISM-IFTOMM Symposium (September 5-8, 1973) Vol. II, pp. 122-136.	
	66	Alexander, Arthur D., "A Survey Study of Teleoperators, Robotics, and Remote Systems Technology," California Institute of Technology (1973) pp. 449-458.	
	67	Alexander, Arthur D., "Endocorporeal Surgery Using Remote Manipulators," California Institute of Technology (1973) pp.483-492.	

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